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[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CHERYL BARRER and WALTER BARRER,
on Behalf of Themselves and Those Similarly
Situated,

Plaintiffs,

v.

CHASE BANK USA, N.A. and DOES 1
through and including 100,

Defendants.

CASE NO. 3:06-cv-00415-HA

CLASS ACTION

NOTICE OF APPEAL

NOTICE OF APPEAL

TO: THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD

Notice is hereby given that Plaintiffs Cheryl and Walter Barrer, on behalf of themselves and all others similarly situated, hereby appeal to the United States Court of Appeals for the Ninth Circuit from: (1) the District Court's Judgment, dated and filed on February 21, 2013 and entered on February 22, 2013 (a true and correct copy of which is attached as Exhibit A); and (2) the District Court's Opinion and Order, dated and filed on February 21, 2013 and entered on February 22, 2013 (a true and correct copy of which is attached hereto as Exhibit B).

Attached hereto as Exhibit C is Appellant's Representation Statement pursuant to Federal Rule of Appellate Procedure 12(b) and Circuit Rule 3-2.

Respectfully submitted,

DATED: March 12, 2013

STANLEY • IOLA, LLP
MATTHEW J. ZEVIN (*admitted pro hac vice*)

/s/ Matthew J. Zevin

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Walter Barrer

PROOF OF SERVICE

Cheryl Barrer, et al. vs. Chase Bank USA, NA, et al.

CASE NO.: 3:06-cv-00415-HA

I, the undersigned, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action. I am employed in the County of San Diego, State of California. My business address is: 225 Broadway, Suite 1350, San Diego, CA 92101.

That on March 12, 2013, I served the following document(s) entitled: **NOTICE OF APPEAL** on ALL INTERESTED PARTIES in this action:

SEE ATTACHED SERVICE LIST

- ☐ **BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal Service. The correspondence, pleadings and other matters are deposited with the United States Postal Service with postage thereon fully prepaid in San Diego, California, on the same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be contained in an overnight envelope and to be deposited in a **Federal Express/Overnite Express** box located at 225 Broadway, San Diego, California, for delivery to the above address(es).
- ☒ **BY CM/ECF Electronic Service:** I caused such document to be served via the Court's (NEF) electronic filing system on all registered parties.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 12, 2013, at San Diego, California.

/s/ Matthew J. Zevin
MATTHEW J. ZEVIN

NOTICE OF APPEAL